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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,469	07/16/2003	Chen-Hung Hung	BHT-3107-120	7380

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EXAMINER

LIN, TINA M

ART UNIT PAPER NUMBER

2874

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/619,469	HUNG, CHEN-HUNG	
	Examiner	Art Unit	
	Tina M. Lin	2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/16/03</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

On page 1, line 18 of the Specification, the word "closely" appears to be a typographical error. It appears to the Examiner that word should read "closer".

On page 2, line 4 of the Specification, the word "loosed" appears to be a typographical error. It appears to the Examiner that word should read "loosened".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,547,653 to Yamada et al.

In regards to claim 1, Yamada et al discloses a clip disk for grinding optical fibers comprising a disk body (1) with a handle (7) secured to the disk body with a plurality of clips (2) (Figure 1) installed on a disk body. Yamada et al further discloses each clip to include a supporting seat (2) being formed with an opening for receiving a joint of an optical fiber with a portion of a ferrule (9) protruding out of the disk groove, a movable piece (2c) connected to the supporting seat, where one end of the movable piece serves to close, so that when a force is applied to one end of the movable piece, another end of the movable piece will move in order to

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receive the optical fiber joint so that the optical fiber joint is fixed in the opening. (Column 4, Lines 27-31, Figure 3)

Yamada et al fails to disclose the movable piece to move upwards for receiving the optical fiber joint. However, Yamada et al does disclose the rotatable movable piece to move in order to allow for a larger opening in order to receive the fiber. Furthermore, the term “upward” is a relative term. Depending on the orientation the module is observed from, the term upward can relatively be in any direction. Therefore, although Yamada et al does not specifically disclose the moveable piece to move upwardly for receiving the optical fiber joint, Yamada et al does disclose the piece to move and since the term “upwards” is a relative term, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have moved the movable piece in a direction that would accommodate for the insertion of the optical fiber joint.

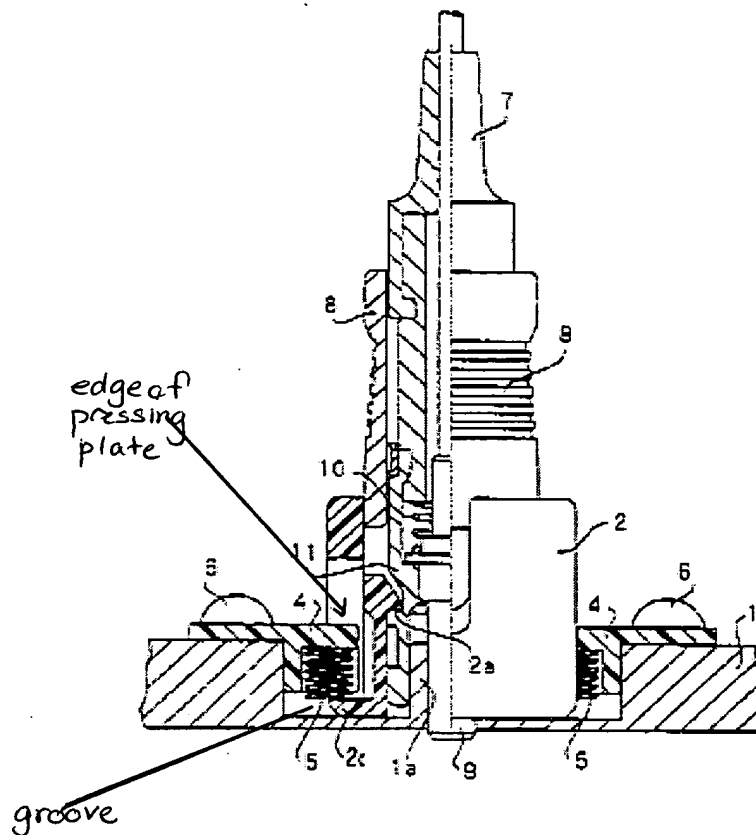
Yamada et al further fails to specifically disclose the moveable piece to be rotatable. However, by definition, the word rotatable means “to turn around on an axis or center.” (*The American Heritage® Dictionary of the English Language, Fourth Edition*) Since the adapter hook part (2a) of the moveable piece rotates towards the adapter pressing plate, the moveable piece does rotate around a center defined by the lower right L-shaped portion. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art that although Yamada et al does not specifically state the moveable piece rotates, Yamada et al does state the adapter groove portion to move towards the pressing plate and therefore rotates around the lower right center pivot point.

Yamada et al also fails to disclose grooves in the disk body. However, in order for the ferrule to be ground, the ferrule must protrude out an opening beyond the fiber holder board (1) in order to make contact with the grinding film (14). (Figure 2) Therefore, although Yamada et al does not explicitly state the disk body to include a groove, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have formed grooves in the disk body since, the grinding apparatus could not function without an opening or a groove for the ferrule to protrude past.

Yamada et al further fails to specifically disclose a core to protrude out of the disk groove. However, Yamada et al does disclose a ferrule to protrude through the disk opening. Yamada et al further discloses an optical fiber cord's tip to be adheres to the ferrule. Since the core and the ferrule extend past the disk and the core is a portion of the fiber optical cord and ferrule, the core must also extend past the disk. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have the core extend past the disk.

In regards to claim 2, Yamada et al additionally discloses an adapter hook to be formed of an elastic material. (Column 4 Line 28)

In regards to claim 3, Yamada et al discloses a supporting seat (2) to have a groove for receiving a rotating means of a movable piece (2c) so that the movable piece will move around the rotating means and the movable piece will rotate in the receiving groove of the supporting seat.



In regards to claim 4, Yamada et al fails to specifically disclose a control piece for controlling the length of downward movement of one end of the movable piece. However, Yamada et al does disclose an adapter pressing plate that will prevent the movable piece from moving further than the edge of the component and therefore, performs the same function as a control piece. Furthermore, the term "downward" is a relative term. Depending on the orientation the module is observed from, the term "downward" can relatively be in any direction. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have a control piece for controlling the length of the movement in the

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applicable direction since the pressing plate disclosed by Yamada et al performs the same function.

The documents submitted by applicant in the Information Disclosure Statement have been considered and made of record. Note attached copy of form PTO-1449.

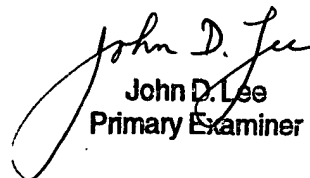
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. References B-F are all alternative methods of holding optical fibers, ferrules and core in a grinding apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Lin whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TML


John D. Lee
Primary Examiner